

# In the Supreme Court of the State of Alaska

**Herbert Johnson,**  
Appellant,

v.

**State of Alaska, CSSD,**  
Appellee.

Supreme Court No. S-17911

## Order

Motion to Supplement and Motion for  
Extension of Time to File Reply Brief

Date of Order: **5/21/2021**

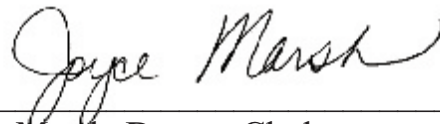
Trial Court Case No. **3AN-18-09509CI**

Herbert Johnson has moved to supplement the record with what appear to be a number of CSSD and related orders/notices that are not a part of the superior court record. CSSD has not opposed the motion. It is not at all clear that the documents have any relevance to the single issue in this appeal, namely whether the superior court abused its discretion by denying Mr. Johnson's motion to reopen his administrative appeal after it had been dismissed for failure to prosecute it. Moreover, it is untimely in the sense that Mr. Johnson already filed his opening brief and CSSD already filed its opposition brief. Allowing Mr. Johnson the opportunity to insert new documents in the record and refer to them in his reply brief would be unfair to CSSD because it would not have had the opportunity to address the relevancy or import of the documents. Accordingly, the motion to supplement the record is **DENIED**.

Mr. Johnson's separate motion for an extension of time to file his reply brief is **GRANTED**. His reply brief is due by **5/28/21**.

Entered at the direction of an individual justice.

Clerk of the Appellate Courts



Joyce Marsh, Deputy Clerk

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